IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY NINTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 6635 of 2005

Between:

V.Ramachandra Naidu, S/o V.Muniswamy Naidu,
R/o D.No.18-252, Mundy Street, Chittoor.

..... PETITIONER

AND

1. A.P.State Road Transport Corporation, rep., by its Managing Director, Musheerabad, Hyderabad.
2. The Regional Manager, A.P.State Road Transport Corporation, Tirupathi, Chittoor District.
3. The Depot Manager, A.P.State Road Transport Corporation, Chittoor-II Depot, Chittoor District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction particularly one in the nature of writ of mandamus declaring the action of the respondents in not paying the hire charges for the excess kilometers, the vehicle of the petitioner as illegal, arbitrary and contrary to the principles of natural justice and violative of Article 14 of the Constitution of India or else the petitioner herein will be put to irreparable loss and hardship.

Counsel for the Petitioner:MR.V.RAGHU

Counsel for the Respondent Nos.1 to 3: MR.P.VINAYAKA SWAMY

The Court at the admission stage made the following OR D E R:

Petitioner seeks a Writ of Mandamus to declare the action of the respondents in not paying the hire charges to the petitioner for excess kilometers as illegal, arbitrary and violative of Article 14 of the Constitution of India.

Heard the learned counsel for the petitioner and the learned standing counsel appearing for the respondent-Corporation.

The petitioner and the respondent-Corporation are bound by the terms and conditions of the agreement dated 03.03.2004. Whether the petitioner is entitled for any difference amount or not is required to be decided by the third respondent.

Therefore, without going into the merits of the case, the writ petition is disposed of directing the third respondent to take appropriate decision in accordance with the terms and conditions of the agreement; circular instructions and also basing on the representation dated 07.08.2004, within a period of two months from the date of receipt of a copy of this order. No order as to costs.

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(K.C.BHANU,J)

Dt:29.03.2005

usd

To

1. The Managing Director, A.P.State Road Transport Corporation, Musheerabad, Hyderabad.
2. The Regional Manager, A.P.State Road Transport Corporation, Tirupathi, Chittoor District.
3. The Depot Manager, A.P.State Road Transport Corporation, Chittoor-II Depot, Chittoor District.
4. Two CD copies.